

By: Phillips, Guillen

H.B. No. 2722

A BILL TO BE ENTITLED

AN ACT

relating to early voting by certain persons who have an employment hardship.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 7, Election Code, is amended by adding Chapter 107 to read as follows:

CHAPTER 107. EARLY VOTING BY PERSON IN SPECIAL CIRCUMSTANCE

Sec. 107.001. APPLICABILITY. This chapter applies only to a voter whose occupation causes a hardship for the voter to appear at the polling place on election day because the voter is employed:

(1) in an occupation that causes the voter to be working periodically offshore;

(2) as a truck driver whose routes routinely take the voter more than 200 miles from home;

(3) in an occupation that is likely to require the voter to be overseas on election day; or

(4) as the permanent caretaker of a person who has a disability and the voter's presence is necessary to protect the life or safety of the person who has a disability and will prevent the caretaker from appearing at the polling place on election day.

Sec. 107.002. FORM AND CONTENTS OF APPLICATION. (a) The secretary of state shall prescribe a unique application for a ballot to be voted under this chapter that must include, in addition to the information required by the applicable provisions of Section

84.002:

(1) for an applicant to whom this chapter applies under Section 107.001(1), (2), or (3), an affidavit certifying the applicant is employed in an occupation that causes a hardship for voting, signed by the applicant and the applicant's employer or contracting entity, and the address of the applicant's employer or of a person related to the applicant within the second degree by affinity or the third degree by consanguinity, as determined under Chapter 573, Government Code, if that address is different from the address at which the applicant is registered to vote; or

(2) for an applicant to whom this chapter applies under Section 107.001(4), be in the form of an affidavit and include a certificate of a licensed physician, licensed chiropractor, or accredited Christian Science practitioner in substantially the following form:

"This is to certify that I know that (insert name of voter) is the caretaker of a person with a sickness or physical condition that requires the caretaker's presence to protect the life or safety of the person and that this duty will prevent (insert name of voter) from appearing at the polling place for an election held on (insert date of election).

"Witness my hand at _____, Texas, this ____ day of _____, 20__.

(Signature of physician, chiropractor, or practitioner)".

(b) The application must be submitted to the early voting clerk not later than the 60th day before election day for the

1 applicant to be eligible to vote a ballot under this chapter.

2 Sec. 107.003. VOTING PROCEDURE; PROCESSING RESULTS. (a)
3 On submission of an application under this chapter to the early
4 voting clerk, the clerk shall review the application and verify the
5 applicant's registration status in accordance with the procedure
6 applicable to early voting by mail.

7 (b) The voting shall be conducted with the balloting
8 materials for early voting by mail.

9 (c) The address to which the balloting materials must be
10 addressed is the address at which the voter is registered to vote or
11 the address of the applicant's employer or of a person related to
12 the applicant within the second degree by affinity or the third
13 degree by consanguinity, as determined under Chapter 573,
14 Government Code.

15 (d) The voter must mark and seal the ballot in the same
16 manner as if early voting by mail.

17 (e) The results shall be processed in accordance with the
18 procedures applicable to processing early voting ballots voted by
19 mail.

20 (f) Section 86.0015 applies to an application for a ballot
21 to be voted under this chapter, notwithstanding Section 86.0015(a).

22 Sec. 107.004. RULES. The secretary of state shall adopt
23 rules to implement this chapter.

24 SECTION 2. This Act takes effect September 1, 2017.